

111TH CONGRESS
1ST SESSION

H. R. 3744

To amend the Immigration and Nationality Act to provide a special rule for the period of admission of H-2A nonimmigrants employed as dairy workers and shepherders, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 7, 2009

Mr. ARCURI (for himself and Mr. LEE of New York) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Immigration and Nationality Act to provide a special rule for the period of admission of H-2A nonimmigrants employed as dairy workers and shepherders, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Dairy and Sheep H-
5 2A Visa Enhancement Act”.

1 **SEC. 2. NONIMMIGRANT STATUS FOR DAIRY WORKERS AND**
2 **SHEEPHERDERS.**

3 Section 101(a)(15)(H)(ii)(a) of the Immigration and
4 Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(a)) is
5 amended by inserting after “abandoning” the following:
6 “who is coming temporarily to the United States to per-
7 form agricultural labor or services as a shepherd or
8 dairy worker, or”.

9 **SEC. 3. SPECIAL RULE FOR PERIOD OF ADMISSION OF H-2A**
10 **NONIMMIGRANTS EMPLOYED AS SHEEP-**
11 **HERDERS OR DAIRY WORKERS.**

12 Section 218(h) of the Immigration and Nationality
13 Act (8 U.S.C. 1188(h)) is amended by adding at the end
14 of the following:

15 “(3) In the case of an alien admitted as an H-
16 2A worker for employment as a dairy worker or
17 shepherd—

18 “(A) the initial period of admission shall
19 be for a period of 3 years;

20 “(B) the period of admission may be ex-
21 tended for additional periods of 3 years; and

22 “(C) no period of absence from the United
23 States may be required as a condition of ap-
24 proval of an extension under subparagraph
25 (B).”.

1 **SEC. 4. WORKERS ENGAGED IN THE RANGE PRODUCTION**
2 **OF LIVESTOCK.**

3 The Secretary of Labor shall issue regulations that
4 address the specific requirements for the provision of
5 housing to workers engaged in the range production of
6 livestock.

7 **SEC. 5. RANGE PRODUCTION OF LIVESTOCK.**

8 Nothing in section 218 of the Immigration and Na-
9 tionality Act (8 U.S.C. 1188) shall preclude the Secretary
10 of Labor and the Secretary of Homeland Security from
11 continuing to apply special procedures and requirements
12 to the admission and employment of aliens in occupations
13 involving the range production of livestock.

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